



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application:

Appl. No.	:	09/904,395	Confirmation No.:	1974
Applicant	:	Thomas J. Foth		
Filed	:	July 12, 2001		
Art Unit	:	2131		
Examiner	:	K. Abrishamkar		
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Customer No.	:	00919	Date:	January 6, 2006

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The owner, Pitney Bowes Inc., of 100 percent interest in the instant application, by Assignment recorded in the U.S. Patent and Trademark Office on July 12, 2001, at Reel 011993, Frame 0413, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 09/972,537, filed on October 8, 2001, as such term is defined in 35 U.S.C. 154 to 156 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on said reference application, as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application, in the event that any such patent granted on the pending reference application expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer filed prior to its grant.

The undersigned is an attorney of record. Reg. No. 43,748.

Please charge the Statutory Disclaimer Fee of \$130.00 and any additional fees, if required, to Deposit Account Number 16-1885.

Pitney Bowes Inc.

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